

Entered - 08/01/01 - sb
CL01L0487 - DIANNE C. MITCHELL

CLAIM OF: LANCE COPELAND
784 Ponce de Leon Place
Apt. 102
Atlanta, Georgia 30306

01- R -1404

For damages alleged to have been sustained as a result of vehicular
damage due to road construction on June 27, 2001 at Virginia
Avenue and Ponce de Leon Place.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL SEP 17 2001



ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: Public Safety

CHAIR: 9/17/01 C.T. Martin

Henry Dorsey
[Signature]

CERTIFIED
SEP 17 2001

[Signature]
DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

September 19, 2001

Lance Copeland
784 Ponce De Leon Place Apt.102
Atlanta, Georgia 30306

01-R-1404

Dear Mr. Copeland:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0487

Date: August 27, 2001

Claimant /Victim LANCE COPELAND
BY: (Atty.)(Ins. Co.) _____
Address: 784 Ponce de Leon Place, Apt. 102, Atlanta, Georgia 30306
Subrogation: Claim for Property damage \$ 230.98 Bodily Injury \$ _____
Date of Notice: 07/30/01 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06/27/01 Place: Virginia Avenue and Ponce de Leon Place
Department _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his vehicle was damaged when he drove through a construction site at the above location. The investigation determined that a private contractor working for Bell South was working at this location at the time of this incident. The claim has been forwarded to Bell South for handling and the claimant has been advised of this action.

INVESTIGATION:

Statements: City employee X Claimant X Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

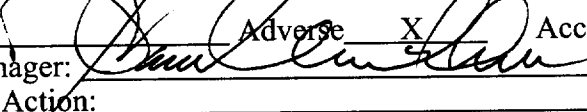
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 18-27-01
Committee Action: _____ Council Action _____

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE

01-R-1404

Unfavorable Claims; Items 20-59

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	E Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE